

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NO.: 22-cv-968 NEB/DTS**

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Jamie DeLorme, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

Big Think Capital, Inc.,

Defendant.

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**JOINT STIPULATION AND JOINT  
MOTION TO EXTEND FACT  
DISCOVERY COMPLETION  
DEADLINE AND THE NON-  
DISPOSITIVE MOTION DEADLINE**

Plaintiff Jamie DeLorme (“Plaintiff”) and Defendant Big Think Capital, Inc. (“Defendant”), by and through their undersigned counsel of record, hereby move the Court for an extension of the Fact Discovery Completion Deadline and Non-Dispositive Motion in accordance with Local Rule 16.

The parties seek this extension to the Fact Discovery Completion Deadline, contemplated by the Court’s Order dated September 6, 2022. *See Doc. No. 26.*

In support of this joint stipulation / motion, the parties state as follows:

1. On August 22, 2022, the Court entered an initial Scheduling Order in the above-captioned case. *See Doc. No. 12.*
2. On September 6, 2022, the Court entered an Amended Scheduling Order (“Scheduling Order”). *See Doc. No. 26.*

3. The current deadline for the Fact Discovery Deadline is set to expire on February 1, 2023 and the current deadline for Non-Dispositive Motions is September 29, 2023.  
*See Doc. No. 26.*
4. The parties are currently working together regarding discovery and various subpoenas to third parties.
5. Good cause exists for the requested extension for the following reasons: (a) the other deadlines including the expert witness discovery do not expire until 2024; (b) the non-dispositive motion deadline is September 29, 2023; and (c) the Defendant is not in possession of any of the class data and asserts that it is all being held by third parties (for subpoenas have been served – some of which have been responded to with objection and others that have been ignored – requiring Rule 37 motion practices which may prove to be protracted).
6. The parties have conferred, and Defendant’s counsel agrees that the deadline for Fact Discovery Completion should be extended.
7. The parties request that the Court extend the deadlines set forth in the Scheduling Order as follows:

<b>Event</b>	<b>Scheduling Order</b>	<b>Proposed New Deadlines</b>
Fact Discovery Completion Deadline	February 1, 2023	December 1, 2023
Non-Dispositive Motion Deadline to Serve and File	September 29, 2023	January 31, 2024

For the foregoing reasons, the parties jointly move the court for an extension of the Joiner and Amended Pleading Deadline.

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANT
<p>By: <u>s/Thomas J. Lyons Jr.</u>  Thomas J. Lyons, Jr., Esq.  Attorney I.D. #: 0249646  CONSUMER JUSTICE CENTER, P.A.  367 Commerce Court  Vadnais Heights, MN 55127  Telephone: (651) 770-9707  Facsimile: (651) 704-0907  tommy@consumerjusticecenter.com</p> <p>Alexis M. Wood, Esq.  #270200 (Admitted Pro Hac Vice)  LAW OFFICES OF RONALD A.  MARRON  651 Arroyo Drive  San Diego CA 92103  Telephone: (619) 696-9006  Facsimile: (619) 564-6665</p> <p>Dated: January 18, 2023</p>	<p>By: <u>s/ Jeffrey S. Ettenger</u>  Jeffrey S. Ettenger, Esq.  #2787570 NY (Admitted Pro Hac Vice)  SCHWARTZ ETTENGER, PLLC  445 Broad Hollow Road, Suite 205  Melville, New York 11747  Telephone: (631) 777-2401  Fax: (631) 777-2402  jse@selawny.com</p> <p>Matthew R. Burton  #210018 MN  MORRISON &amp; SUND PLLC  5125 County Road 101, Suite 200  Minnetonka, MN 55345  Telephone: (952) 975-0050  Fax: (952) 975-0058  mburton@morrisonsund.com</p> <p>Dated: January 18, 2023</p>